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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/519,234

Applicant(s)

LIANG, CHUA CHIEN

Examiner

TAE K. KIM

Art Unit

2453

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

This is in response to the Applicant's response filed on December 4, 2008. Claims 1 – 31 have been cancelled by the Applicant. Claims 32 – 39 have been added by the Applicant. Claims 32 – 39, where Claims 32, 34, and 36 are in independent form, are presented for examination.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 4, 2008 has been entered.

Response to Arguments

Applicant's arguments filed on December 4, 2008 have been fully considered but they are moot based on the new grounds of rejection as stated below.

Claim Objections

1. Claim 36 is objected to because of the following informalities: The step referenced in section (d)(iii) is step (ii), not step ii. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 32, 34, and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims indicate that the "any participating person...becom[es] a last new member of the group" and then states that "one other participating person...thereby becom[es] the last new member of the group." Two different persons cannot both be the last new member of the group. Additionally, section (d)(iii) further states that this process of making additional persons the last new member of the group which further makes the term "last new member of the group" indefinite.

To clarify the meaning of the term "last new member of the group," the Examiner will interpret this term as being the first participating person included in the group and subsequent participating persons that are added to the group. Therefore, the term "last new member of the group" identifies one or more participating persons. Accordingly, the indications of the last new member of the group will also be the indications of the one or more participating person included in the group. This interpretation allows for steps (d)(ii) and (d)(iii) of the above claims to be performed without variation to the term "last new member of the group."

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 32 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 7,203,674, invented by Morgan Cohen (hereinafter "Cohen").

3. Regarding Claim 32, Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking [Fig. 5; Col. 9, line 55 – Col. 10, line 15; subscribers to an electronic dating service can decide to participate in a group date], said method comprising:

(a) each participating person selecting a set of indications [Fig. 5; Col. 10, lines 1 – 15; a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet [Fig. 5; Col. 10, lines 1 – 15; by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(c) recording the set of indications in a database after indicating [Col. 10, lines 37-40; the number of compatible users who have joined the event are tracked (e.g. number of heterosexual men and heterosexual women are tracked)];

(d) processing the set of indications recorded in the database by a computerized system to form the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates], comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group [Fig. 5; Col. 10, lines 50-

65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria];

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria];

(iii) repeatedly including new persons to the group by the above step (ii) until another participating person indicated in the set of indications of the last new member of the group is already included in the group [Fig. 5; Col. 10, lines 50-65; the system creates new pairs of compatible users so that every user goes on a date with a compatible user with whom they have not previously gone on a date with].

4. Regarding Claim 33, Cohen discloses all the limitations of Claim 32 above.

Cohen further discloses that the plurality of participating persons are already pre-selected in terms of having already indicated a common time and a common place to meet [Col. 9, line 55 - Col. 10, line 5; Col. 11, lines 1-5; group dating provides a way for a user to meet several other users within a predefined timeframe and in a common online group event (place)].

5. Regarding Claim 34, Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking [Fig. 5; Col. 9, line 55 – Col. 10, line 15; subscribers to an electronic dating service can decide to participate in a group date], said method comprising:

(a) each participating person selecting a set of indications [Fig. 5; Col. 10, lines 1 – 15; a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet [Fig. 5; Col. 10, lines 1 – 15; by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(c) recording the set of indications in a database after indicating [Col. 10, lines 37-40; the number of compatible users who have joined the event are tracked (e.g. number of heterosexual men and heterosexual women are tracked)];

(d) processing the set of indications recorded in the database by a computerized system to form the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates], comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group [Fig. 5; Col. 10, lines 50-

65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria];

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria];

(iii) repeatedly including new persons to the group by the above step ii until the number of persons in the group reaches a predetermined quantity [Fig. 5; Col. 10, lines 50-65; a group of two compatible participating persons is formed based on the group-date event criteria; predefined limit of two per group].

6. Regarding Claim 35, Cohen discloses all the limitations of Claim 32 above. Cohen further discloses that the plurality of participating persons are already pre-selected in terms of having already indicated a common time and a common place to meet [Col. 9, line 55 - Col. 10, line 5; Col. 11, lines 1-5; group dating provides a way for a user to meet several other users within a predefined timeframe and in a common online group event (place)].

7. Regarding Claims 37 and 38, Cohen discloses all the limitations of Claims 32 and 34 above. Cohen further discloses that the set of indications is a list of other participating persons that a participating person wishes to meet [Fig. 5; Col. 10, lines 1 – 15; by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26); the list comprises of people that meet this criteria].

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 36 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of U.S. Appl. 2002/0023090, filed by John S. McGeachie (hereinafter “McGeachie”).

8. Regarding Claim 36, Cohen discloses a method of generating a group of persons from a plurality of participating persons for enabling networking [Fig. 5; Col. 9, line 55 – Col. 10, line 15; subscribers to an electronic dating service can decide to participate in a group date], said method comprising:

(a) each participating person selecting a set of indications [Fig. 5; Col. 10, lines 1 – 15; a user can select from the list of upcoming group-date events include criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(b) indicating in the set of indications of said each participating person at least one other participating person that said each participating person wishes to meet [Fig.

5; Col. 10, lines 1 – 15; by selecting from the list of upcoming group-date events, the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26)];

(c) recording the set of indications in a database after indicating [Col. 10, lines 37-40; the number of compatible users who have joined the event are tracked (e.g. number of heterosexual men and heterosexual women are tracked)];

(d) processing the set of indications recorded in the database by a computerized system to form the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates], comprising:

(i) including as a first member of the group any participating person who has indicated at least one other participating person in the set of indications, thereby also becoming a last new member of the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two compatible participating persons is formed based on the group-date event criteria];

(ii) including in the group one other participating person indicated in the set of indications of the last new member of the group, said other participating person thereby becoming the last new member of the group after joining the group [Fig. 5; Col. 10, lines 50-65; prior to the event start time, the system pairs compatible users for a round of dates; a group of two

compatible participating persons is formed based on the group-date event criteria];

(iii) repeatedly including new persons to the group by the above step (ii) until another participating person indicated in the set of indications of the last new member of the group is already included in the group [Fig. 5; Col. 10, lines 50-65; the system creates new pairs of compatible users so that every user goes on a date with a compatible user with whom they have not previously gone on a date with].

Cohen, however, does not specifically disclose that participating persons can also be participating corporations.

McGeachie discloses that persons can be associated with corporations [Fig. 7]. It is well known to one skilled in the art at the time of the invention that corporations are business entities that cannot perform any functions unless done through the acts of the people that represent and/or control the corporation. It would be obvious to one skilled in the art to allow corporations to communicate within an online one-on-one group to exchange information that may be related to commerce done through various corporations. Doing so would allow individuals to communicate their ideas to other individuals that share a similar interest or issue they are attempting to solve.

9. Regarding Claim 39, Cohen, in view of McGeachie, discloses all the limitations of Claim 36 above. Cohen further discloses that the set of indications is a list of other participating users (corporations) that a participating user (corporation) wishes to meet [Fig. 5; Col. 10, lines 1 – 15; by selecting from the list of upcoming group-date events,

the user indicates at least one other person that participating person wishes to meet within a certain criteria such as ethnicity (Asian), location (San Francisco) and age (aged 23-26); the list comprises of people that meet this criteria].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,480,885 – method for enabling users to communication with other users based upon user profile and acceptance criteria's; U.S. Patent 7,107,311 – system and method for communications over a network among participants and grouping participants based on participant responses; U.S. Appl. 2003/0055892 – system and method for peer-to-peer group management and formation.

Examiner's Note: Examiner has cited particular figures, columns, line numbers, and/or paragraphs in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure

relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae K. Kim, whose telephone number is (571) 270-1979. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (571) 272-4001. The fax phone number for submitting all Official communications is (703) 872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the examiner at (571) 270-2979.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Tae K. Kim/
Art Unit 2453

February 12, 2009

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457